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SUBJECT: CAPRILES, CNE AND CEV: VENEZUELA POLITICAL UPDATE
-- APRIL 2, 2004

REF: CARACAS 00950

Summary

11. (U) The Criminal Chamber of Venezuela's Supreme Court (TSJ) dismissed on procedural ground the order to detain Baruta Mayor Henrique Capriles April 1, and ordered the case sent to a new court. Supporters of President Hugo Chavez objected to the possibility National Electoral Council (CNE) alternate director Miriam Kornblith assuming the role CNE Vice President out on medical leave. The National Assembly (NA) fired its chief economic advisor, Francisco Rodriguez, after he publicly accused NA President Francisco Ameliach of unduly pressuring the semi-autonomous analysis economic analysis. The Episcopal Council of Venezuela (CEV) denounced the GOV for blocking the "democratic and peaceful" path of the presidential recall referendum and for violating human rights. End Summary.

TSJ Annuls Capriles Detention Order

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12. (U) On April 1, the Criminal Chamber of the Supreme Court (TSJ) struck down the order to detain Baruta Mayor Henrique Capriles for alleged crimes perpetrated during the April 2002 siege of the Cuban Embassy in Caracas (ref). The Chamber, in a 2-1 decision, annulled the March 16 order, saying it did not adequately specify the nature of the crimes, among other procedural flaws. The Chamber ordered the case be reassigned to a new court and, addressing one of the principal stumbling blocks in the case, instructed the lower court to give Capriles' lawyers access to the investigation file. Capriles appeared publicly for the first time since the warrant was issued the same evening to declare that "justice is not lost in Venezuela." Capriles condemned the GOV for using public institutions to intimidate political opponents. Minister of Communication Jesse Chacon decried the decision as engineered by magistrates with ties to opposition parties and asked why Capriles received "privileged" treatment by the Chamber when thousands of Venezuelans were awaiting trials.

CNE Alternate Opposed

13. (U) National Electoral Council (CNE) Vice President Ezequiel Zamora (pro-opposition) requested a medical leave of absence for 15 days from the CNE on March 29 (rumored to be a controllable type of cancer). Zamora requested that his alternate, Miriam Kornblith, replace him on the board during his temporary absence, according to press reports. CNE Director Jorge Rodriguez immediately assailed Kornblith, who has been an outspoken critic of the GOV's handling of the referendum, saying her political statements disqualified her from serving on the board. Chavez's campaign committee, the "Comando Ayacucho," requested that the Constitutional Chamber of the Supreme Court (TSJ) name a new alternate. The Chavez supporters cited Kornblith's links to a project carried out by the NGO Sumate, and funded by the National Endowment for Democracy, as evidence of her political bias. Kornblith attempted to attend a CNE meeting April 1 to insist she be allowed to substitute for Zamora, but the other members of the CNE reportedly refused to receive her.

National Assembly Economic Advisor Sacked

14. (U) The National Assembly (NA) its chief economic advisor, Francisco Rodriguez, after he publicly accused NA President Francisco Ameliach of denying the Assembly's Office of Economic and Finance Counsel (OEAF) its budget for four months and of withholding financial information. Rodriguez claimed that the OEAF, a semi-autonomous economic analysis shop within the Assembly, is being persecuted because it has

warned the NA's Finance Committee of imprudent spending within the budget. Rodriguez was suspended on March 29 for "questioning the honor of the President of the National Assembly." The pro-GOV majority voted on March 30 to dismiss Rodriguez along with his deputy and six other economists. The debate turned blatantly political as pro-Chavez deputies accused Rodriguez of working for the opposition and supporting the April 2002 "coup" against President Hugo Chavez.

Catholic Bishops Call For Referendum, No Repression

15. (U) The Episcopal Council of Venezuela (CEV), composed of Venezuela's Catholic bishops, held an extraordinary session to discuss the political crisis and recent allegations of human rights abuses. The CEV released a statement April 1 supporting the presidential recall referendum. CEV President Baltazar Porras told reporters that the referendum was the "peaceful and democratic" path out of Venezuela's political crisis. If that path is closed, he said, violence will result. The CEV denounced violence whatever its cause, and specifically criticized the GOV for a disproportionate response to opposition demonstrations. The CEV also condemned polarizing rhetoric that classifies people either as "patriots" or "coup-plotters."
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